

DIANA CLINE EBRON, ESQ.
Nevada Bar No. 10580
E-Mail: diana@kgelegal.com
JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-Mail: jackie@kgelegal.com
KAREN L. HANKS, ESQ.
Nevada Bar No. 9578
E-Mail: karen@kgelegal.com
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139-5974
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorney for Defendant,
SFR Investments Pool 1, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR FIRST
FRANKLIN MORTGAGE LOAN TRUST
2006-FF11, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-FF11,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited-liability company;
LAMPLIGHT SQUARE @ CORONADO
RANCH, LLC, a Nevada limited-liability
company; LAMPLIGHT SQUARE @
CORONADO RANCH HOMEOWNERS'
ASSOCIATION, a Nevada non-profit
corporation; and ALESSI & KOENIG, LLC, a
Nevada limited-liability company,

Defendants.

Case No.: 2:17-cv-01504-RFB-CWH

**SFR INVESTMENTS POOL 1, LLC'S
DEMAND FOR SECURITY OF COSTS
PURSUANT TO NRS 18.130(1)**

SFR INVESTMENTS POOL 1, LLC'S DEMAND FOR SECURITY OF COSTS
PURSUANT TO NRS 18.130(1)

Defendant SFR INVESTMENTS POOL 1, LLC ("SFR") hereby demands that Plaintiff
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FIRST
FRANKLIN MORTGAGE LOAN TRUST 2006-FF11, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-FF11 ("DEUTSCHE BANK" or "Bank"), an out-of-state

resident, post a cost bond pursuant to NRS 18.130(1).

In Nevada, if a plaintiff resides outside of Nevada or is a foreign corporation, like the Bank, “security for the costs and charges which may be awarded against such plaintiff may be required by defendant, by the filing and service on plaintiff of a written demand therefor within the time limited for answering the complaint.” NRS 18.130(1). When a defendant demands a cost bond, “all proceedings in the action shall be stayed” until plaintiff files “an undertaking, executed by two or more persons, to be filed with the clerk, to the effect that they will pay such costs and charges as may be awarded against the plaintiff by judgment, or in the progress of the action” or “in lieu of such undertaking, the plaintiff may deposit \$500, lawful money, with the clerk of the court.” *Id.* “After the lapse of 30 days from the service of notice that security is required, or of an order for new or additional security, upon proof thereof, and that no undertaking as required has been filed, the court or judge may order the action to be dismissed.” NRS 18.130(4).

“It is the policy of the United States District Court for the District of Nevada to enforce the requirements of NRS 18.130 in diversity actions.” *Feagins v. Trump Organization*, 2012 WL 925027 (D. Nev.)(citing *Hamar v. Hyatt Corp.*, 98 F.R.D. 305, 305-6 (D. Nev. 1983); *Arrambide v. St. Mary’s Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D. Nev. 1986)).

///

///

///

///

///

///

///

///

///

///

///

1 Here DEUTSCHE BANK is not a Nevada citizen, but rather a national banking
2 association organized under the laws of the United States, with its principal office located in
3 California. Accordingly, SFR demands that the Bank post a \$500 cost bond within thirty (30)
4 days and that the proceedings be stayed until such cost bond is posted. Should the Bank fail to
5 comply with the requirements of NRS 18.130 within thirty (30) days, SFR requests this action be
6 dismissed.

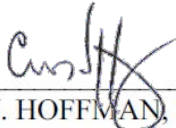
7
8 DATED this 8th day of August, 2017.

9 **KIM GILBERT EBRON**

10
11 By: /s/ Diana Cline Ebron
12 DIANA CLINE EBRON, ESQ.
13 Nevada Bar No. 10580
14 E-Mail: diana@kgelegal.com
15 JACQUELINE A. GILBERT, ESQ.
16 Nevada Bar No. 10593
17 E-Mail: jackie@kgelegal.com
18 KAREN L. HANKS, ESQ.
19 Nevada Bar No. 9578
20 E-Mail: karen@kgelegal.com
21 KIM GILBERT EBRON
22 7625 Dean Martin Drive, Suite 110
23 Las Vegas, Nevada 89139-5974
24 Telephone: (702) 485-3300
25 Facsimile: (702) 485-3301
26 *Attorney for Defendant,*
27 *SFR Investments Pool 1, LLC*

28
IT IS SO ORDERED.

DATED: August 10, 2017

23
24 
25 C.W. HOFFMAN, JR.
26 UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of August, 2017, pursuant to FRCP 5(b)(2)(E), I caused service of a true and correct copy of the foregoing **SFR INVESTMENTS POOL 1, LLC'S DEMAND FOR SECURITY OF COSTS PURSUANT TO NRS 18.130(1)** to be made electronically via the U.S. District Court's Case Management/Electronic Case Files (CM/ECF) system upon the following parties at the e-mail addresses listed below:

Jeffrey L. Willis, Esq.
Alexandria LaVonne Layton, Esq.
Snell & Wilmer LLP
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169-0965
E-Mail: jwillis@swlaw.com
alayton@swlaw.com

*Attorney for Plaintiff,
Deutsche Bank National Trust Company, as Trustee for First Franklin Mortgage Loan Trust
2006-FF11, Mortgage Pass-Through Certificates, Series 2006-FF11*

Edward D. Boyack, Esq.
Boyack Orme & Anthony
7432 West Sahara Avenue, Suite 101
Las Vegas, Nevada 89117-2769
E-Mail: ted@boyacklaw.com
*Attorney for Defendant,
Lamplight Square @ Coronado Ranch Homeowners' Association*

/s/ Michael L. Sturm
MICHAEL L. STURM, an employee of
KIM GILBERT EBRON